

LEGISLATIVE COUNCIL RESOLUTION 14-01
(As Adopted May 14, 2014)

BE IT RESOLVED BY THE INDIANA LEGISLATIVE COUNCIL:

SECTION 1. For the purposes of this resolution, "study committee" means a committee or commission which has been established by the Legislative Council or statute and:

- (1) is chaired by a member of the General Assembly and has members of the General Assembly serving as at least one-half of its voting membership;
- (2) is required by law to be staffed by the Legislative Services Agency (LSA) or to operate under procedures or policies established by the Legislative Council;
- (3) whose chair by law must be selected by the Chair of the Legislative Council, the Speaker of the House, or the President Pro Tempore of the Senate; or
- (4) has members of the General Assembly serving as at least one-half of its voting membership.

SECTION 2. (a) This subsection applies only to a study committee established by IC 2-5-1.3-4. IC 2-5-1.3 applies to the appointment of members to study committees. The following study committees have the following lay members:

(1) INTERIM STUDY COMMITTEE ON CORRECTIONS & CRIMINAL CODE

- (A) Four (4) lay members appointed under IC 2-5-1.3-6(b).
- (B) An additional two (2) lay members appointed under IC 2-5-1.3-6(c) by the chair of the Legislative Council, with the advice of the vice-chair of the Legislative Council.
- (C) The appointing authorities shall provide for the appointment of lay members under this subdivision with the following experience or training:
 - (i) One (1) lay member who is a circuit or superior court judge who exercises criminal or juvenile jurisdiction.
 - (ii) One (1) lay member who is a public defender.
 - (iii) One (1) lay member who is a prosecuting attorney.
 - (iv) One (1) lay member who is a probation officer.
 - (v) One (1) lay member who is an employee of the department of correction.
 - (vi) One (1) lay member who has experience in administering a community corrections program and is not an employee of the department of correction.

(2) INTERIM STUDY COMMITTEE ON COURTS & JUDICIARY

- (A) Four (4) lay members appointed under IC 2-5-1.3-6(b).
- (B) One (1) additional lay member appointed under IC 2-5-1.3-6(c) by the chair of the Legislative Council, with the advice of the vice-chair of the

Legislative Council.

- (C) The appointing authorities shall provide for the appointment of lay members under this subdivision with the following experience or training:
 - (i) the chief justice of the supreme court or a representative designated by the chief justice.
 - (ii) One (1) lay member who is a sitting judge.
 - (iii) One (1) lay member who is a county commissioner.
 - (iv) One (1) lay member who is a member of a county council.
 - (v) One (1) lay member who is a circuit court clerk.

(3) INTERIM STUDY COMMITTEE ON PENSION MANAGEMENT OVERSIGHT

- (A) Four (4) lay members appointed under IC 2-5-1.3-6(b) who are experts in the areas of finance, investments, or pension fund management.

(4) INTERIM STUDY COMMITTEE ON PUBLIC HEALTH, BEHAVIORAL HEALTH, & HUMAN SERVICES

- (A) Four (4) lay members appointed under IC 2-5-1.3-6(b) with experience or training in public health, behavioral health, or human services.

Lay members appointed under this subsection are voting members of the study committee to which they are appointed.

(b) A study committee identified in SECTION 3, 4, 5, or 6 or another study committee established by IC 2-5-1.3-4 may not study a topic other than the topics assigned by the Legislative Council to the study committee by SECTION 3, 4, 5, or 6 unless the topic is approved by the Personnel Subcommittee of the Legislative Council.

SECTION 3. The study committees identified in this SECTION shall study and make findings and recommendations concerning the following topics assigned to them and submit a final report to the Legislative Council in an electronic format under IC 5-14-6 before November 1, 2014:

(1) INTERIM STUDY COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) The following:
 - (i) A statewide policy for recreational trails and the maintenance of recreational trails.
 - (ii) A method to distribute the money deposited into the recreational trail maintenance fund established by IC 14-19-10.3

(HEA 1307-2014, SECTION 37).

- (B) The following:
 - (i) Regulation in Indiana and other states of shooting preserves and cervidae farming.
 - (ii) The risk of wasting disease and other disease risks of importing deer, birds, or other animals into Indiana for use in shooting preserves and cervidae farming.

(Personnel Subcommittee of the Legislative Council).

(2) INTERIM STUDY COMMITTEE ON COMMERCE & ECONOMIC DEVELOPMENT

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) Examining the economic and workforce development impact of the medical device industry in Indiana. (HR 33).

(3) INTERIM STUDY COMMITTEE ON CORRECTIONS & CRIMINAL CODE

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) Criminal justice issues concerning individuals with autism spectrum disorders. (HR 4-2014).
- (B) The following:
 - (i) The status of the Indiana juvenile detention alternatives initiative (JDAI).
 - (ii) Recent United States Supreme Court decisions relating to juvenile justice.
 - (iii) The use of risk assessment techniques in juvenile delinquency dispositional determinations and case planning.
 - (iv) The application of restorative justice principles in juvenile delinquency cases;
 - (v) Law enforcement training regarding juveniles.
 - (vi) The availability and effectiveness of mental health services for juveniles.
 - (vii) Education and training for juvenile court judges.
 - (viii) Concerns relating to racial and ethnic disparities in the juvenile justice system.
 - (ix) The availability of juvenile indigent defense.

(SB 320-2014, SECTION 1 (as introduced); HB 101-2014. SECTION 2 (as introduced)).

- (C) Review and report on all requests for new criminal offenses, changes in penalty enhancements, and other changes to the criminal code. (Personnel Subcommittee of the Legislative Council).

(4) INTERIM STUDY COMMITTEE ON COURTS & JUDICIARY

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) Digital privacy, including issues related to the following:
 - (i) Searches of electronic devices.
 - (ii) Compelling the disclosure of electronic user data.
 - (iii) The collection and use of geolocation information.
 - (iv) The collection and use of biometric information by government agencies.
- (B) Nonparty defense, with particular emphasis on whether a defendant should be permitted to assert a nonparty defense if an Indiana statute grants the nonparty immunity from liability. (SB 40-2014, SECTION 1 (as printed January 31, 2014); SR 55-2014).
- (C) Whether a father who has abandoned a birth mother during pregnancy should be required to consent to the adoption of the child. (SEA 27-2014, SECTION 4).
- (D) Review and report on all requests for new courts or changes in jurisdiction of existing courts. (Personnel Subcommittee of the Legislative Council).

(HEA 1009-2014, SECTION 27).

(5) INTERIM STUDY COMMITTEE ON EDUCATION

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) The topics described in HEA 1004-2014, SECTION 3 (prekindergarten and early learning).
- (B) Student discipline and the suspension, expulsion, or exclusion of a student from school. (HEA 1319-2014, SECTION 9).

(6) INTERIM STUDY COMMITTEE ON EMPLOYMENT AND LABOR

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) Job sharing working conditions and benefits, especially work sharing unemployment benefits. (HR 72-2014).

(7) INTERIM STUDY COMMITTEE ON ENVIRONMENTAL AFFAIRS

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) The topics described in HEA 1183-2014, SECTION 9 (recycling and solid waste).

- (B) The following:
 - (i) Statewide standards for sewage disposal systems, including septic tanks and related facilities and devices.
 - (ii) Sewage disposal systems using alternative technologies that offer performance superior to that of traditional sewage disposal systems.

(SB 212-214, SECTION 1 (as printed January 29, 2014)).

(8) INTERIM STUDY COMMITTEE ON FISCAL POLICY

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) The following:
 - (i) Whether Indiana should implement a state-based health exchange.
 - (ii) The current operation of the federal exchange in Indiana.
 - (iii) The definition of "essential health benefits" for use in Indiana under the Affordable Care Act, including ensuring that the definition results in adequate benefits.
 - (iv) Access to consumer choice of health care providers.

(HB 1309, SECTION 1 (as introduced)).

- (B) A multi-year review, analysis, and evaluation of all tax incentives according to a schedule developed by the Committee.

(HEA 1020-2014, SECTION 1).

- (C) Comparison of the effectiveness of tax credits to the effectiveness of grant programs in encouraging the preservation and commercial redevelopment of historic properties.

(HEA 1215-2014, SECTION 1).

- (D) The factors contributing to the shift of the local property tax burden, including the following issues:
 - (i) Shifts in property taxes that result from property tax abatements.
 - (ii) Abatement claw-backs.
 - (iii) Property tax deductions, exemptions, and credits that shift the local property tax burden.
 - (iv) Increased circuit breaker losses to local units that may result from property tax shifts.
 - (v) Increasing numbers of taxpayers that are claiming property tax exemptions.

(HR 81-2014).

(9) INTERIM STUDY COMMITTEE ON GOVERNMENT

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) The following topics concerning annexation:
 - (i) Reasons for annexation.
 - (ii) Contiguity requirements.
 - (iii) Involuntary annexation.
 - (iv) Litigation costs associated with annexation.
 - (v) Economic development requirements for annexation.
 - (vi) Remonstrance process.
 - (vii) Mandatory annexation for extension of municipal services.
 - (viii) Contracts for payments in lieu of annexation.
 - (ix) Extraterritorial service disputes.
 - (x) Allow owners of noncontiguous property to petition for annexation (Austin letter).
 - (xi) Remove the requirement that the landowners reside within the annexation territory (Austin letter).
 - (xii) Place a moratorium on annexation from April 1, 2014 to July 1, 2015 (Austin letter).
 - (xiii) Require a court to award attorney's fees and expenses to the signers of the remonstrance for those filed after March 31, 2014 and before July 1, 2015 (Austin letter).
 - (xiv) Amend a provision that requires 100% of landowners to file a petition for annexation (Austin letter).
 - (xv) Disannexation (Cherry letter).
 - (xvi) Property tax exemptions for property classified for zoning purposes as agricultural (Cherry letter).

(SB 273-2014, SECTION 7 (as printed February 25, 2014); Letter from Representative Austin; Letter from Representative Cherry).

(10) INTERIM STUDY COMMITTEE ON PENSION MANAGEMENT OVERSIGHT

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) Status of existing local government unit pension plans, including the participation of local government units in the public employees' retirement fund and the financial effects on participating local government units of withdrawing or excluding new hires from the plans, to determine whether changes are necessary or advisable. (SB 54-2014, SECTION 1 (as printed February 11, 2014); Letter from Representative DeVon).
- (B) Review and report on all requests for changes in a public pension program. (Personnel Subcommittee of the Legislative Council).

(11) INTERIM STUDY COMMITTEE ON PUBLIC HEALTH, BEHAVIORAL HEALTH, & HUMAN SERVICES

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) Implementation of a high cost management program described in HB 1335-2014, SECTION 1 (as printed January 24, 2014).
- (B) The integrity and security of the INSPECT program (IC 35-48-7), including recommendations to the Indiana Professional Licensing Agency to ensure that data collected by the INSPECT program may be used only for lawful purposes. (HEA 1218-2014, SECTION 13).
- (C) Whether opioid treatment programs should be prohibited from allowing patients to take home a multiple day supply of opioid treatment medication. (HEA 1218-2014, SECTION 14).
- (D) Public policy that assists individuals with chronic eye disease in removing barriers to long term access to effective treatment therapies. (HR 69-2014).
- (E) Issues related to adding blindness and vision impairment services to the First Steps program. (Letter from Senator Stoops).

(12) INTERIM STUDY COMMITTEE ON PUBLIC POLICY

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) Societal impact of teenage pregnancy education. (SR 33-2014).
- (B) The following:
 - (i) Competition and potential competition posed to existing casinos and racinos in Indiana; and
 - (ii) Comparative impact of potential changes in Indiana's existing gaming laws on the viability, patron admissions, and revenues of the existing casinos and racinos in Indiana.

(Personnel Subcommittee of the Legislative Council).

(13) INTERIM STUDY COMMITTEE ON PUBLIC SAFETY & MILITARY AFFAIRS

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) The following:
 - (i) How transforming Indiana's veterans benefits services can increase those benefits to veterans and beneficiaries in compensation and pensions, education,

medical care, and other areas.

(ii) How Indiana compares to other states in each component of benefits, as reported annually by the Veterans Benefits Administration (VBA), including:

- (a) Total expenditures, compensation, and pensions;
- (b) Education; and
- (c) Medical and related care.

(iii) How Indiana's structure of assisting beneficiaries in obtaining benefits and tools may be restructured; specifically, the following:

- (a) Management, organization, staffing, and information technology;
- (b) Education;
- (c) Employment;
- (d) Compensation, pension, and other benefits; and
- (e) Health care education and delivery.

(SEA 180-2014, SECTION 3 and SCR 35-2014).

(14) INTERIM STUDY COMMITTEE ON ROADS AND TRANSPORTATION

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) Advise the bureau of motor vehicles regarding the suitability of a special groups to have a special group recognition license plate. (SEA 80-2014, SECTION 6).

(15) INTERIM STUDY COMMITTEE ON UTILITIES, ENERGY, & TELECOMMUNICATIONS

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) The following:
 - (i) The findings presented by the Indiana Utility Regulatory Commission in its most recent report to the legislative council under IC 8-1-30.5-3(c)(1) (water utility resource data).
 - (ii) The effect that the relative availability of water resources has upon state and regional economic development decisions.
 - (iii) Ways in which state government agencies could better coordinate their activities relating to the management of water resources.
 - (iv) Ways in which state and local governments can better coordinate their activities relating to the management of water resources.
 - (v) The unique water resource challenges facing rural Indiana and, in particular, the agricultural community, including aquifer withdrawals, surface water concerns, and inter-basin transfers.
 - (vi) The following:
 - (a) The recommendations set forth by the Indiana utility regulatory commission in its most recent report to the legislative council under IC 8-1-30.5-3(c)(1).
 - (b) Other recommendations concerning Indiana's water resources.

- (vii) The key elements that a state water plan should contain.
- (viii) The potential creation of a water institute.
- (ix) The potential creation of a water management authority.

(SEA 271-2014, SECTION 1).

- (B) The topics described in SEA 405-2014, SECTION 7 (underground facilities; tolerance zones for interstate pipelines).
- (C) Service areas of electric utilities (SR 52-2014).

THE COMMITTEE MAY REVIEW ANY REPORT REQUIRED TO BE SUBMITTED TO THE COMMITTEE BY STATUTE AND RECOMMEND POTENTIAL LEGISLATIVE ACTION, AS NECESSARY.

SECTION 4. In addition to any other topic assigned to the committee by statute, the study committee identified in this SECTION shall study the following topics and make a final report with findings and recommendations to the Legislative Council before November 1, 2014, in an electronic format under IC 5-14-6:

(1) COMMISSION ON BUSINESS PERSONAL PROPERTY & BUSINESS TAXATION (SEA 1-2014, SECTION 12)

THE COMMISSION IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) The topics assigned to the Commission by SEA 1-2014, SECTION 12.
- (B) The topics described in SEA 118-2014, SECTION 39 (redevelopment commissions, authorities, and departments).

SECTION 5. In addition to any other topic assigned to the study committee by statute, the Commission on Improving the Status of Children shall study the following topic and make an interim report or a final report with findings and recommendations to the Legislative Council before November 1, 2014, in an electronic format under IC 5-14-6:

(1) COMMISSION ON IMPROVING THE STATUS OF CHILDREN (IC 2-5-36-9)

THE COMMISSION IS CHARGED WITH STUDYING THE FOLLOWING TOPIC:

- (A) Under-reporting of crimes against children, including the reasons for under-reporting. (HB 1137-2014, SECTION 1 (as introduced); IC 16-19-13-7(a)(3)(A), as added by SEA-227-2014, SECTION 6 (study by the Office of Women's Health or State Department of Health concerning differences between the reporting of crimes of domestic and sexual violence committed against children).

SECTION 6. Pursuant to IC 2-5-1.3-15, the Legislative Council transfers study of the following legislative topics from the board, commission, or other committee that is directed by statute to study the legislative topics to the following study committee:

(1) INTERIM STUDY COMMITTEE ON EDUCATION

- (A) The topics assigned by HEA 1004-2014, SECTION 3 to the Prekindergarten and Early Learning Study Commission are transferred to the Interim Study Committee on Education, as indicated in SECTION 3(5) of this resolution.